

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James Teal,)	C/A No. 3:18-2645-MGL-PJG
)	
Plaintiff,)	
)	
v.)	ORDER
)	
State Farm Fire & Casualty Co.,)	
)	
Defendant.)	
_____)	

Plaintiff James Teal, a self-represented litigant, filed this civil action against the named defendant. This matter is before the court on the plaintiff's motions for the issuance of a subpoenas. (ECF Nos. 33 & 34.) The defendant did not file a response to the motions.

The plaintiff previously filed a motion that was denied without prejudice to refile to provide the court with additional information required for the issuance of a subpoena *duces tecum*. The plaintiff timely refiled his motion in compliance with the court's order. (ECF No. 33.) The plaintiff's motion requests telephone records from Net 10—his former telephone carrier—which is not a party to this action.

In his current motion, the plaintiff has clearly identified the documents he seeks and from whom he seeks those documents and has provided a reasonable explanation as to how the requested documents are relevant to his case. Additionally, in compliance with the court's order, he has shown that the requested documents are obtainable only through the identified third party, and he states that he has the funds necessary to pay for the costs associated with the production of the requested documents.

Accordingly, it is hereby

ORDERED that the Clerk of Court provide the plaintiff with one blank subpoena form. The plaintiff is directed to complete the subpoena as to Net 10 and return it to the Clerk of Court for issuance pursuant to the Federal Rules of Civil Procedure within seven (7) days from the date of the this order. It is further

ORDERED that the plaintiff's motion seeking a witness subpoena for appearance at trial is premature and is denied without prejudice to refile at the appropriate stage of litigation. (ECF No. 34.)

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

March 4, 2019
Columbia, South Carolina